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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of decision: October 28, 2022

+ W.P.(C) 14957/2022 & CM APPL. 46112-46113/2022

EX NB RISALDAR DILBAG SINGH Petitioner

Through: Mr. Md. Azam Ansari, Mr. Md. Ashfaq Ansari, Mr. Mohd. Shahnawaz and Ms. Afshan, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Farman Ali, SPC with Mr. Gokul Sharma and Ms. Usha Jamnal, Advocates with Major Partho Katayan.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. By way of the present petition, the petitioner is seeking a direction to forthwith decide petitioner's appeal (*Mercy Petition*) dated 28.09.2020 as two years have already elapsed from the date of filing of the said mercy petition as well as from the order dated 22.09.2020 of the learned Armed Forces Tribunal.

2. Learned counsel appearing on behalf of the petitioner submits that for the aforesaid relief, petitioner had made a representation dated 28.09.2020 for grant of service pension and gratuity, however, the same is still pending

with the respondents for the last two years.

3. Accordingly, we hereby dispose of the present petition by directing the respondents to decide the said representation dated 28.09.2020 within four weeks from today.

4. It is also made clear that if the petitioner is required to carry out any formality, then respondents shall communicate it to the petitioner as well as his counsel within one week from today and the petitioner is thereafter directed to comply with the same within one week therefrom.

5. Upon completion of aforementioned formalities, the concerned respondents shall pass the requisite order within two weeks and then communicate the final decision thereof to the petitioner as well as his counsel within three days thereafter.

6. Needless to say that if the petitioner is still aggrieved by the decision of the respondents, he may challenge the same before the appropriate forum.

7. The present petition along with pending applications is accordingly disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 28, 2022/So